

# Shoot Down Our Disagreeable Neighbors

## Julius Schutte of Entire Family of They Rushed Out

"As the flames leaped up and awakened the sleeping family, Mrs. Ball screamed and rushed out of the front door. Schutte fired and the poor woman rolled over into the bushes, screaming. Her son, Joe, then came out and Schutte dropped him with a shot. Next came Mr. Ball, and another shot from Schutte's gun snuffed out the life of the old man. The boy continued to move and Schutte, stepping up to him, fired into the neck and shoulders of young Ball. Mrs. Ball was still moaning and screaming as she writhed in the bushes. Schutte approached and pressing the muzzle of the shotgun close to her writhing form, fired another shot, which silenced her forever."

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Jebsalts bottle and had one of those screw tops on top. He took this out of his pocket, his back pocket, and took a long drink of whiskey from it, then he stuck it back in his pocket again. Then he said to me, "I want you to keep your mouth shut about this, no matter how much I beat you or how much punishment you get; no matter how mad you get at me don't open your mouth about this to any other people. Don't tell your mother or brothers or anybody," and if I did I would get the same as these people had gotten, and when he did that he pointed back toward the fire and I didn't say a word and we went on.

Q.—You say after you had finished washing your hands you went upstairs. Did your father go also?

A.—Well, I think he went up a little ahead of me. When we got up from the cellar we went upstairs in the store and I took my coat and he threw me his coat, and I took them and hung them up where we generally hung them, and I took out the couple of shells that he had in there.

Q.—Did you go to bed?

A.—Yes, we did.

Q.—You went to sleep?

A.—I didn't, no, sir.

Q.—What time did you get up?

A.—Seven o'clock.

Q.—Was your father up at that time?

A.—No, sir, still in bed.

Q.—How soon did you see your father?

A.—I first saw him before I got downstairs, as I was going through the hall and went by the room he called to me. He called me into the room and he asked me if I had any sleep and I said no. He said, "You didn't sleep?" and I said, "No, I didn't close my eyes," and he called me over to his bed and he said, "You don't want to mind a little thing like that," and he smiled and he said, "I want you to go down and take my coat, and if there are any blood spots on the sleeve or anything clean it off." He said there were discharged shells in his pocket and he wanted me to take them out of his pocket and put them in the henhouse where we always kept them on the shelf. I went downstairs and went to the kitchen, and my mother was up, and I think my brother William and a couple of my brothers, and I got the coat; it was some kind of a heavy corduroy stuff, skin color, father's coat; and I took the coat and put it down in the henhouse. I didn't look at it until I got down there, and there were discharged shells in the right pocket and loaded shells in the left-hand pocket. I took them out and put them on the shelves where we used to keep them and I saw several spots of blood across the sleeve. The sleeve was crusted up, it stuck to the corduroy, so I tried to get it off, and then I went back to the house.

Q.—Did you look at your own coat to see whether there was any blood on it or not?

A.—No, sir, I don't remember looking at it at all.

Q.—You say you took shells out of your father's pocket, both loaded and unloaded, discharged shells?

A.—Yes, sir.

Q.—What did you do with those?

A.—Put both the loaded and unloaded on the shelf over the door as you go in the hencoop.

Q.—After cleaning off your father's coat what happened, if anything?

A.—Just as I came in the kitchen I heard my mother call to my father. He was still upstairs and the door was open between

the store and the kitchen. Two times she called out to him that there was some one to see him, that Mr. Zagarin was down there saying that the Ball house was burned up and all the people there were burned with it. I went up to tell my father and he said he didn't want to come down; he wanted to sleep, he didn't feel well. He went to sleep and he didn't come downstairs at that time.

Q.—Do you recall anything else your father did that morning?

A.—Well, not right then. We were out in the kitchen and we were eating breakfast, my mother, my brothers and myself, and we heard the telephone ring. It rang three, which was Lawyer Tyler's call in Tyllerville, and my father came downstairs and he said it ring up there. He came down in his stocking feet and listened in.

Q.—Did your father say anything at that time?

A.—No, sir, and he repeated that about four times. Every time the telephone bell would ring calling Mr. Tyler he came down and listened in and went back upstairs. He hadn't any shoes on at all—crept up and down in his stocking feet.

Q.—He didn't say anything on any of these occasions when he listened in at the telephone?

A.—No, sir, not until toward afternoon. As I happened to pass him in the store and there was no one in there he said, "Well, they have come to the conclusion that the bodies were suffocated in the fire. They don't suspect anything wrong."

Q.—Did he give you any instructions about what to do?

A.—I was going to Tyllerville that afternoon to see a party by the name of Decker, and he told me on the way down there—William, my brother, was going with me—and he said, "When you get opposite the cemetery tell William, out of curiosity, to get out and go over to the remains of the fire, to go across the path and down to the Ball shack where it had been, and see who is around there and hear what was said. If there was any one around there, to see what was going on," and he told me after he left there to go up the back road to the house. He said that the alarm clock hadn't been changed, the time it was supposed to go off, and he said, "Change it, so if anyone happens to go in there and see the clock they wouldn't suspect anything."

To turn it around to about 7 or 8 o'clock, I think, to look out there was no one around there up the hill by the house, to just give the clock a turn. We came back and took the team. We went over across the property and came out on the main road to the barn.

Q.—You testified earlier in the morning that as you were going through the woods your father had told you that if you ever told about that the same thing would happen to you as happened to these people which were in the Ball place. When was the first time you first told about this thing?

A.—Well, I don't know for sure, to remember the date, but I think the first time I told it was to my brother Walter, my oldest brother. He was the first one I told

it to. I didn't tell it in detail, but I told him I knew the charge against my father and I was going to put in a complaint. I can't say for sure, but I think it was the 17th of May of this last year.

On cross-examination at the hands of Lawyer Carlson, the attorney for the accused murderer, the young man rehearsed with some further detail the story of the fire, the sudden awakening of Mrs. Ball, her screams, the rush through the door to gain safety from the flames and the bang, bang, bang of his father's shotgun as he dropped them one by one.

After some preliminary questioning Lawyer Carlson brought the witness to the moment of the tragedy.

QUESTION BY LAWYER CARLSON—And your father stationed himself there in front of the door?

ANSWER BY JULIUS SCHUTTE—Yes; not in front of the door, but over there to the side of the door.

QUESTION—How far away were you?

ANSWER—I was about probably 20 or 25 feet; about 20 feet I think it was, southwest of the house.

Q.—You laid your rifle down, didn't you?

A.—I think I had it in my hand.

Q.—Ready to shoot with it?

A.—I was. I held it in my hand ready to shoot.

Q.—If your father couldn't kill them you were going to kill them, isn't that about the size of it?

A.—Well, that was my instructions.

Q.—Now, how long had he been stationed there before you heard any noise at all?

A.—I happened to turn away when I heard Mrs. Ball screaming.

Q.—What was the cause of the screaming?

A.—I guess the woman had probably suddenly been awakened by the fire.

Q.—And then what was the next thing?

A.—The next thing I heard something as though there was a chain moving; I took it that the door was probably chained and they were trying to move it.

Q.—The door was opened?

A.—Yes.

Q.—And the old man Ball came out?

A.—Yes.

Q.—Running out?

A.—No, not running; he walked along pretty fast.

Q.—Was a shot fired before he came out?

A.—The shot was fired just as he came out. The shot was fired and then I saw him run around the side of the house, and then he ran back.

Q.—The question is, did you see the first shot fired before he went around the side of the house or afterward?

A.—Fired before he was in sight of me; I hadn't seen him when the first shot was fired.

Q.—You heard the rattling of the door and you were right where you could see the door?

A.—I couldn't see it real plain; it was dark on that side of the house.

Q.—How far away did you stand?

A.—Quite a ways up on the knoll.

Q.—And the door was right in plain sight; stood right out in the darkness?

A.—Yes.

Q.—So when the door opened you could have seen Ball when he came right out?

A.—I saw him just as he came out of the door and he ran around the side of the house.

Q.—My question is now, was that shot fired before he came out?

A.—Before he came in sight of me, I believe; he may have been outside of the doorway.

Q.—There was a blaze from the gun as the shot was fired was there not?

A.—Yes, sir.

Q.—In which direction was that shot fired?

A.—I didn't notice about that, but I suppose right at the doorway.

Q.—Well, Ball ran to the corner of the house, didn't he?

A.—Yes.

Q.—Now, how long had he been gone round the corner of the house before you saw him again?

A.—It was but a very short time.

Q.—Well, while he was around there and while you were at the corner, did any one else come out of the house?

A.—Yes.

Q.—Who came out next?

A.—The woman.

Q.—And when she came out Ball was out of sight?

A.—Yes.

Q.—Well, then, there was a shot fired at her?

A.—Yes.

Q.—You didn't fire that shot at her?

A.—No.

Q.—Did she fall?

A.—She fell down. She kind of went staggering off that bank, down into the bushes. There was a lot of small shrubbery there.

Q.—She was not shot right as she came out of the door?

A.—Yes, she went over the bank toward the brook, staggering down over that.

Q.—She didn't go over the bank did she?

A.—Yes.

Q.—If she had gone over the bank she would have fallen down the ravine?

A.—No, there are some bushes and shrubbery right there on the bank, and she went over into the bushes.

Q.—You didn't notice whether the man Ball had any clothing on him?

A.—Yes, he had clothing on.

Q.—What clothing?

A.—I don't remember about that now.

Q.—Did he have pants on?

A.—I think he had. As I saw him as he stood in the door.

Q.—Did you notice that when he came out of the building?

A.—No.

Q.—When you picked him up, when you dragged him off did he have a shirt on?

A.—I don't remember.

Q.—Did he have a coat on?

A.—Seems as if he had. It looked as if he was all clothed from his neck to his feet.

Q.—Did he have a pistol in his hand?



Mrs. Emil Schutte, Wife of the Accused Murderer, Whose Life Was Also Threatened by Schutte.

A.—I didn't see any.

Q.—What was the next thing that happened?

A.—The boy came out of the door and just turned facing the roadway, and he hadn't much more than got turned when he was fired at.

Q.—Who fired the shot at him you don't know?

A.—Yes.

Q.—He was shot through the back?

A.—I think so.

Q.—And he fell?

A.—Yes.

Q.—By that time Ball had come back?

A.—Yes.

Q.—Now where did the boy fall?

A.—The boy fell right on his stomach, on his face, about half way behind the house toward the road.

Q.—Right in the open space there?

A.—Yes.

Q.—On that little path?

A.—Yes.

Q.—That leads up from the road to the back door of the shack?

A.—Not exactly on the path; he was around on the right side.



Emil Schutte, the Accused Wholesale Murderer.

Q.—Right near there?

A.—Yes.

Q.—On the grass ground?

A.—Yes.

Q.—He didn't go down in the bushes?

A.—No.

Q.—Now when the father came back didn't he have to run over the body of his son to get back?

A.—No, sir. There was that whole path. He didn't have to go over the boy.

Q.—And the father was shot again?

A.—Yes.

Q.—Where did he fall?

A.—He fell right backward with his head out toward the road.

Q.—What position—where was he with reference to the boy? Did he fall between the boy or above on the other side of the boy?

A.—A little bit toward where my father was standing.

Q.—He had to go by the boy?

A.—Yes.

Q.—Then he fell?

A.—Yes.

Q.—You didn't notice, of course, and couldn't tell where he was shot at that particular time?

A.—No.

Q.—But he was shot?

A.—Yes.

Q.—He fell, and that was the last you heard from him?

A.—Yes.

Q.—Then your father fired into the neck and shoulders of young Ball? And that was the last you heard of him?

A.—Yes.

Q.—And then your father went to the writhing, screaming form of Mrs. Ball in the bushes and fired a shot into her?

A.—Yes, sir.

Q.—And then all was silence?

A.—Yes.

What a sombre picture of cold-blooded slaughter! Even a motion-picture audience would shake their heads at such a scene as being rather too crude and unlikely—and yet this is exactly what young Schutte swears transpired in the early morning hours on that cold December day in the stillness of the dawn.

And the jury believed Julius Schutte's story, for they convicted his father of the wholesale murder of his unfortunate neighbors.